

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

VENTANA MEDICAL SYSTEMS, INC.,

Plaintiff,

v.

DAKOCYTOMATION CALIFORNIA INC.,

Defendant.

Civil Action No. 04-1522-GMS

**UNOPPOSED MOTION FOR LEAVE TO SUPPLEMENT THE FINAL CLAIM CHART**

Defendant Dakocytomation California Inc. (“DakoCytomaton”) hereby moves to supplement the October 3, 2005 Joint Final Claim Chart. DakoCytomation seeks to add a small amount of material to the Final Claim Chart and is not seeking construction of any new terms. The Plaintiff, Ventana Medical Systems, Inc. (“Ventana”), is aware of and does not oppose this request. A redline version of the October 3, 2005 Joint Final Claim Chart identifying the additional material is attached hereto as Exhibit A.

Dated: October 13, 3005

FISH & RICHARDSON P.C.

/s/ Timothy Devlin

Timothy Devlin (No. 4241)  
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Attorneys for Defendant  
DakoCytomation California, Inc.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on October 13, 2005, I electronically filed **UNOPPOSED MOTION FOR LEAVE TO SUPPLEMENT THE FINAL CLAIM CHART** with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

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Attorneys for Plaintiff  
Ventana Medical Systems, Inc.

I hereby certify that on October 13, 2005, I have mailed by Federal Express Service, the document(s) to the following non-registered participants:

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/s/ Timothy Devlin  
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